

EXHIBIT A

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David W. Slayton,
Executive Officer/Clerk of Court,
By G. Cordon, Deputy Clerk

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

Breeaunna Henry, (See additional parties
list with plaintiffs attached)

Plaintiffs,

vs.

WHALECO, Inc., d/b/a TEMU; PDD
Holdings, Inc., f/k/a PINDUODOU Inc.;
and DOES 1-100, inclusive,

Defendants.

CASE NO. 25STCV09085

**[UNLIMITED] COMPLAINT FOR
DAMAGES**

- 1. VIOLATION OF THE
ELECTRONIC COMMUNICATIONS
PRIVACY ACT OF 1986 (ECPA);**
- 2. VIOLATION OF THE COMPUTER
FRAUD AND ABUSE ACT;**
- 3. VIOLATION OF THE CALIFORNIA
COMPREHENSIVE DATA ACCESS
AND FRAUD ACT ("CDAFA");**
- 4. VIOLATION OF THE CALIFORNIA
INVASION OF PRIVACY ACT;**
- 5. VIOLATION OF THE CALIFORNIA
UNFAIR COMPETITION LAW;**
- 6. VIOLATION OF THE CALIFORNIA
FALSE ADVERTISING LAW;**
- 7. VIOLATION OF THE RIGHT OF
PRIVACY UNDER THE CALIFORNIA
CONSTITUTION;**
- 8. INTRUSION UPON SECLUSION**

DEMAND FOR JURY TRIAL

Plaintiffs Breeaunna Henry, (See additional parties list with plaintiffs attached)
(collectively "Plaintiffs"), bring this complaint based upon on information and belief, by and
through undersigned counsel, against Whaleco Inc. d/b/a Temu ("Temu"), and PDD Holdings
Inc. f/k/a Pinduoduo Inc. (collectively, "Defendants").

1 **JURISDICTION AND VENUE**

2 1. This Court has subject matter jurisdiction over this action pursuant to Article
3 VI, section 10 of the California Constitution and Code of Civil Procedure section 410.10

4 2. This Court has personal jurisdiction over Defendants. Defendants are a
5 corporation or other business entity authorized to conduct and does conduct business in the
6 Stat of California. Defendants advertise and sells products in California, and conducts
7 sufficient business with sufficient minimum contacts in California, and/or otherwise
8 intentionally avails itself of the California market through its promotion, sales, distribution,
9 and marketing within this State to render the exercise of jurisdiction by this Court permissible.

10 3. Venue is proper in this county in accordance with Section 395(a) of the
11 California Code of Civil Procedure because the alleged wrongs occurred in the county. Venue
12 is also proper in this county because it was the county where at least one Plaintiff resides.

13 **NATURE OF ACTION**

14 4. In 2022, Defendants launched an online shopping platform, Temu, in the
15 United States. The Temu mobile app and website (the “Temu platform” or “Temu app”), is
16 purported to be an online shopping platform that allows users to purchase low-cost goods
17 manufactured in China. However, the Temu app is actually dangerous malware,
18 surreptitiously granting itself access to virtually all data on a user’s cell phone.

19 5. Specifically, Temu is purposefully designed to gain unrestricted access to a
20 user’s phone operating system, including, but not limited to, a user’s camera, specific
21 location, contacts, text messages, documents, biometric information and other applications.
22 Temu is designed to make this expansive access undetected, even by sophisticated users.

23 6. Once installed, Temu can recompile itself and change properties, including
24 overriding the data privacy settings users believe they have in place. Even users without the
25 Temu app are subject to Temu’s gross overreach if any of their information is on the phone of
26 a Temu user. Temu monetizes this unauthorized collection of data by selling it to third parties.

27 7. This action arises out of Defendants’ violations of the Electronic
28 Communications Privacy Act of 1986 (ECPA), 18 U.S.C. §§ 2510-2523 and California
Consumer Privacy Act of 2018 (CCPA), Cal. Civ. Code § 1798.100.

PARTIES

8. Plaintiff Breeaunna Henry, an individual and citizen of the State of California, County of Los Angeles. Plaintiff downloaded the Temu App and used/shopped on the App and/or platform, thereby subjecting Plaintiff to personal and private data misappropriation by defendant.

9. Additional Plaintiffs listed on ATTACHMENT A, are individuals and citizens of the United States of America. Plaintiffs downloaded the Temu App and used/shopped on the app and/or platform, thereby subjecting Plaintiffs to personal and private data misappropriation by defendant.

10. Whaleco Inc. d/b/a Temu (“Temu”) is, and at all relevant times was, a corporation incorporated in Delaware and headquarter in Boston, Massachusetts. Temu is an online marketplace operated by the Chinese e-commerce company PDD Holdings Inc.

11. PDD Holdings Inc. f/k/a Pinduoduo Inc., is a company that was founded in China in 2015 under the name Pinduoduo. It owns and operates a portfolio of businesses and is listed on the Nasdaq exchange in the United States. Among other things, PDD Holdings Inc., operates the Pinduoduo e-commerce platform that offers products in various categories, including agricultural produce, apparel, shoes, bags, mother and childcare products, food and beverage, electronic appliances, furniture and household goods, cosmetics and other personal care, sports and fitness items and auto accessories. It also owns the company that operates the Temu online marketplace. PDD Holdings Inc. was formerly known as Pinduoduo Inc., with headquarters in Shanghai, China. PDD Holdings Inc. claims that in February 2023, it moved its “principal executive offices” from Shanghai, China to Dublin, Ireland. However, it continues to have significant operations in China, with multiple subsidiaries located within China. PDD Holdings Inc. is registered in the Cayman Islands.

12. Defendants do not function as separate and independent corporate entities. Defendant Temu is directly controlled by Defendant PDD Holdings Inc. At all relevant times, Defendant PDD Holdings Inc. has directed the operations of Defendant Temu with respect to the Temu App, and Defendant Temu has reported to Defendant PDD Holdings Inc. Employees from Defendant PDD Holdings Inc. performed work on the Temu App, including software engineers who previously developed the Pinduoduo App for PDD Holdings Inc.

1 Defendant PDD Holdings Inc. makes key strategy decisions for Defendant Temu, which was
2 charged with executing such decisions.

3 13. Defendants DOES 1 through 100, inclusive, are other possible Defendants
4 responsible for the wrongful conduct alleged herein. The true names and capacities of
5 Defendants named herein as DOES 1 through 100, inclusive, whether individual, corporate,
6 associate, or otherwise, are unknown to Plaintiffs, who therefore sue such Defendants by such
7 fictitious names pursuant to California Code of Civil Procedure § 474. Plaintiffs are informed
8 and believe that the DOE Defendants are California residents. Plaintiffs will amend their
9 Complaint to show true names and capacities when they have been determined. Plaintiffs are
10 informed and believe, and on the basis of such information and belief allege, that each
11 Defendant DOE herein is in some manner responsible for the discrimination, harassment, and
12 retaliation against Plaintiffs due to their protected reporting activities, and damages herein
13 alleged.

14 14. Plaintiffs are informed and believe and thereon allege that each Defendant is,
15 and at all times mentioned was, the agent, employee or representative of each other
16 Defendant. Each Defendant, in doing the acts, or in omitting to act as alleged in this
17 Complaint, was acting within the scope of his or her actual or apparent authority, or the
18 alleged acts and omissions of each Defendant as an agent were subsequently ratified and
19 adopted by each other Defendant as a principal.

20 **FACTUAL ALLEGATIONS**

21 15. Founded in 2015, PDD Holdings is one of China's largest companies,
22 generating billions in total value of goods sold. Among other business activities, PDD
23 Holdings operates Pinduoduo, (the "Pinduoduo platform" or "Pinduoduo App") an e-
24 commerce App created in China that offers various consumer products.

25 16. Defendant PDD Holdings Inc. subsequently developed a second online retail
26 App, and in 2022 launched the Temu App in the United States.

27 17. The Temu App provides a marketplace for Chinese suppliers to offer their
28 products. However, the Temu App also handles delivery, promotion, and after-sales services
for merchants on its platform.

18 18. The Temu App was based on the Pinduoduo App, and many of the same
software engineers who developed Pinduoduo also worked on what became the Temu App.

1 19. The Temu App/platform became available to consumers in the United States in
2 late 2022.

3 20. Since that time, Defendants have heavily promoted the Temu App throughout
4 the United States, through television advertisements, large online ad campaigns, and
5 sponsorships.

6 21. As a result of their efforts, by 2023, the Temu App was the most downloaded
7 App In the United States amassing millions of U.S. users.

8 22. Analysts have found that Temu App, specifically, uses the allure of
9 inexpensive Chinese-manufactured goods to entice users into unknowingly providing
10 unwarranted and extensive access to their private data through deceptive methods.

11 **A. Concerns Arise Regarding Security of The Temu App/Platform**

12 23. In early to mid-2023, the Temu App and/or platform, along with the popular
13 social media app TikTok was identified as one of the Chinese-affiliated App that poses a
14 significant threat to users' data and privacy.

15 24. Concerns also began to emerge after Temu's precursor platform, the
16 Pinduoduo App, was pulled from the Defendants' Play Store due to the presence of malware
17 that exploited vulnerabilities in Android operating systems. Analysts, including experts for the
18 Defendants, concluded that the Pinduoduo App was covertly collecting private and personal
19 data from users without their knowledge and consent.

20 25. In mid-2023, Apple suspended the Temu App from the Apple Store based on
21 the same data privacy concerns. Apple concluded that Temu made misrepresentations
22 regarding the types of data Temu can access and collect from users. Reports indicated that
23 Apple had expressed concerns regarding the Temu App, stating that it did not comply with
24 Apple's data privacy standards and that Temu was misleading users about how their data is
25 utilized.

26 26. Such concerns have also been expressed recently by government authorities
27 who have examined the App. For example, the State of Montana recently banned the Temu
28 App on government devices, along with other Chinese Apps that have engaged in data privacy
violations, such as TikTok.

1 27. In January of 2024, the Arkansas Attorney General sued Temu for deceiving
2 Arkansans and illegally accessing their personal information and data.

3 28. Likewise, U.S. authorities have also raised concerns regarding Temu’s data
4 practices.

5 29. In April 2023, the U.S.-China Economic and Security Review Commission, a
6 government entity established by Congress to investigate, assess, and report annually on the
7 national security implications of the economic relationship between the United States and the
8 People's Republic of China, issued a report noting the significant data risks associated
9 specifically with the Temu App.

10 30. Subsequently, technical analysts have determined that the Temu App is
11 deemed even more “malicious” than the suspended Pinduoduo App, noting that Temu's data
12 collection scope is extensive, surpassing what is necessary for the functioning of an online
13 shopping app.

14 31. According to one commentator, aside from Bluetooth and Wi-Fi access, “Temu
15 gains full access to all your contacts, calendars, and photo albums, plus all your social media
16 accounts, chats, and texts. In other words, literally everything on your phone.... No shopping
17 app needs this much control, especially one tied to Communist China.”

18 **B. Temu Violates Users Data Privacy Rights in Multiple Ways.**

19 1. **The Scope of Data Collected**

20 32. First, analysts have observed that the scope of the data collected by Temu is
21 sweeping and goes well beyond the scope of the data that is needed to run an online shopping
22 app.

23 33. In addition to Bluetooth and Wi-Fi access, “Temu gains full access to all your
24 contacts, calendars, and photo albums, plus all your social media accounts, chats, and texts. In
25 other words, literally everything on your phone..”

26 34. Additionally, it is alleged that the Temu App “bypasses” phone security
27 systems to read a user’s private messages, make changes to the phone’s settings and track
28 notifications.

35. In September of 2023, one technical investigation of the app published by an
analyst firm, concluded that the “TEMU app is purposefully and intentionally loaded with

1 tools to execute virulent and dangerous malware and spyware activities on user devices which
2 have downloaded and installed the TEMU app.”¹

3 36. The analysis went so far as to claim that Defendant PDD Holdings was a
4 “fraudulent company” and that “its shopping app TEMU is cleverly hidden spyware that poses
5 an urgent security threat to U.S. national interests.”

6 37. Among the primary findings of the report were the following:

- 7 a. “The app has hidden functions that allow for extensive data exfiltration
8 unbeknown to users, potentially giving bad actors full access to almost all
9 data on customers’ mobile devices.”
10 b. “Great efforts were taken to intentionally hide the malicious intent and
11 intrusiveness of the software.”
12 c. “We engaged numerous independent data security experts to decompile and
13 analyze TEMU app’s code, integrated with experts of our own staff, and
14 analysts who have written independently in the public domain.”
15 d. “Contributing to the danger of mass data exfiltration is the fast uptake rate
16 of the TEMU app: over 100 million app downloads in the last 9 months, all
17 in U.S. and Europe. TEMU is not offered in China.”
18 e. “The TEMU app development team includes 100 engineers who built the
19 Pinduoduo app, which earned a suspension from the Defendants Play
20 Store.”
21 f. “Pinduoduo app got reinstated by removing the ‘bad parts,’ some of which
22 were identically utilized as components of the TEMU app, strongly
23 indicating malicious intent.”
24 g. “We strongly suspect that TEMU is already, or intends to, illegally sell
25 stolen data from Western country customers to sustain a business model
26 that is otherwise doomed for failure.”

27 38. Additionally, the analysis concluded that the Temu App contains malware,
28 spyware, and other means to “plunder” user data: “TEMU has laid an extensive software

¹ See “We believe PDD is a Dying Fraudulent Company and its Shopping App TEMU is Cleverly Hidden Spyware that Poses an Urgent Security Threat to U.S. National Interests” found at: <https://grizzlyreports.com/we-believe-pdd-is-a-dying-fraudulent-company-and-its-shopping-app-temu-is-cleverly-hidden-spyware-that-poses-an-urgent-security-threat-to-u-s-national-interests/>

1 foundation to recklessly plunder its customers' data. Our staff analysis, verified by numerous
2 expert confirmations, both proprietary experts we hired, plus those independently published in
3 the public domain, find malware, spyware, and several levels of exceptionally threatening
4 software behavior."

5 39. The analysis further found that the Temu App has the capability to hack users'
6 phones and override data privacy settings that users have purposely set to prevent their data
7 from being accessed.

8 40. Technical analysis of the Temu App found "all the signs of red-flag concern,"
9 noting that "[t]he calls to outside device data and functions that violate users' privacy are far
10 more aggressive than any well-known consumer shopping app."

11 41. Further analysis found "a stack of software functions that are completely
12 inappropriate to and dangerous in this type of software."

13 42. For example, the "TEMU app is referencing systems data outside the bounds of
14 TEMU's own app. TEMU seemingly reads the user's system logs. This gives TEMU the
15 ability to track user actions with other apps running on the user's device."

16 43. It is believed that the Temu App also collects identifying information unique to
17 a user's device. Specifically, "TEMU asks for the MAC address, and other device
18 information, and inserts it into a JSON object to be sent to the server."

19 44. The Temu App also has the capability to take screenshots of users' phones and
20 store those to a file.

21 45. The Temu also has the ability to read and transmit files on the user's system
22 "with little or no encryption."

23 46. The Temu can access users' cameras and microphones whenever the app is
24 running, such a function provides a means by which the Temu App can surreptitiously collect
25 user biometric data and information such as video, facial image, and voiceprint data.

26 47. Many of the categories of data and information collected by Defendants are
27 particularly sensitive. For example, in addition to highly sensitive biometric information
28 discussed below, Defendants also collect physical and digital location tracking data that is
highly invasive of Temu users' privacy rights. "Location data is among the most sensitive
personal information that a user can share with a company . . . Today, modern smartphones
can reveal location data beyond a mere street address. The technology is sophisticated enough

1 to identify on which floor of a building the device is located.” Over time, location data reveals
2 private living patterns of Temu users, including where they work, where they reside, where
3 they go to school, and when they are at each of these locations. Location data, either standing
4 alone, or combined with other information, exposes deeply private and personal information
5 about Temu users’ health, religion, politics and intimate relationships.

6 48. The Temu data collection begins as soon as the app is downloaded. As reported
7 in a recent technical report: “‘TEMU sends a lot of detailed user and system data elements as
8 soon as the app is loaded.’ The user’s system gets queried in detail, so all that information is
9 available to send to TEMU servers. (As noted above, this includes the device’s unique MAC
10 address.) No user permission is required to gather any of this category of information.” Temu
11 contains “a complete arsenal of tools to exfiltrate virtually all the private data on a user’s
12 device and perform nearly any malign action upon command trigger from a remote server.”

13 49. Additionally, individuals who are not Temu users and have never signed up for
14 the platform may also be adversely impacted. Unbeknownst to them, non-users who engage in
15 electronic communications with Temu users, such as through email or text messages, may
16 have their private communications subject to harvesting by Defendants who have broad
17 access to Temu users’ devices.

18 **2. The Surreptitious Nature of The Apps Data Mining.**

19 50. The Temu App contains technology (encrypt, decrypt or shift integer signals)
20 that obscures the source code and system calls so that intrusive and dangerous calls are harder
21 to detect when an app store or others perform security scans. In addition, the Temu App
22 contains a runtime.exec() function that allows Temu to get compiled code onto the user’s
23 system at runtime that has not been seen by any security detection scans. These features alone
24 demonstrate that the Temu App is purposefully designed to be “very virulent
25 malware/spyware.”

26 51. Issues uncovered with the app “occur in parts of the code that are proprietary,
27 obscured, and/or from a code library rarely used, poorly programmed by a niche company.”
28 This is inconsistent with common practice and appears to be designed to obscure the
dangerous features of the app so that they will not be disclosed to the public and will avoid
scrutiny by the app stores that provide the app to the public.

1 52. For example, a technical analysis found a “package compile” function that was
2 “not visible to security scans before or during installation of the app, or even with elaborate
3 penetration testing.” As a result, “TEMU’s app could have passed all the tests for approval
4 into the Defendants’ Play Store, despite having an open door built in for an unbounded use of
5 exploitative methods.”

6 53. In addition, the Temu App seeks to obscure the permissions that are given to
7 the app to access information on users’ phones. “[M]any of these permissions in TEMU’s
8 source code are not listed in their Android Manifest file, which is the standardized overview
9 source for an app.”

10 54. The Temu App deceptively requests permissions in ways that do not clearly
11 inform users that they are providing certain permissions to the App. Accordingly, because the
12 Temu App “masks its intentions” by using such deceptive means, “You wouldn’t suspect that
13 the TEMU app contains a full stack of malware/spyware tools to do just about anything it
14 wants with your phone and get nearly anything stored on it sent to its own servers in the
15 background.”

16 55. The Temu App also contains functions to alert the App if a debugger is
17 engaged. Such a feature is likely incorporated into the App “to obstruct or obscure analysis of
18 the app, and most likely to change app behavior if an analyst is inspecting it dynamically.”

19 **3. Temu Subjects User Data To Misappropriation By Chinese Authorities.**

20 56. The data privacy violations documented with the Temu App are particularly
21 concerning not only because they subject user data to unauthorized collection and potential
22 sale to third parties, but also because Temu’s parent is a China-based company that is subject
23 to Chinese law that requires companies to provide user data to the government upon request.
24 As a technical analysis of the Temu App has noted, “Your personal data – much more than
25 you ever assumed – is resold indiscriminately for marketing purposes, and in all probability
26 available to Chinese Security authorities for data mining purposes. Chinese Government
27 security agents or their AI computers might be looking at what products you or your family
28 buy on TEMU as a source of leverage, influence, manipulation, ‘cross-border remote justice’,
surveillance, or more.”

1 57. As experts and government authorities have repeatedly observed, under
2 applicable law, user data owned by Chinese companies is available on command to officials
3 of the Chinese communist government. The Chinese government’s ongoing efforts to acquire
4 such private user data from American citizens—both legally and illegally—are well
5 documented.

6 58. As U.S. Senators have explained, “Security experts have voiced concerns that
7 China’s vague patchwork of intelligence, national security, and cybersecurity laws compel
8 Chinese companies to support and cooperate with intelligence work controlled by the Chinese
9 Communist Party.”

10 59. Inherent in Chinese ownership of companies collecting American users’
11 private and personally identifiable information. During the broadcast, among other things, a
12 former member of the U.S. intelligence community observed that what makes the possession
13 of U.S. user data by China-affiliated companies “particularly concerning” is that “[t]he
14 Chinese have fused their government and their industry together so that they cooperate to
15 achieve the ends of the state.” As Senator Hawley observed during the broadcast, for example,
16 the Chinese-owned parent company of TikTok had an express legal obligation to share such
17 private user data with the Chinese government: “under Chinese law, TikTok, ByteDance, the
18 parent, is required to share data with the Chinese Communist Party”; “all it takes is one knock
19 on the door of their parent company, based in China, from a Communist Party official for that
20 data to be transferred to the Chinese government’s hands, whenever they need it.”

21 60. In testimony given to Congress in November 2022, FBI Director Christopher
22 Wray reiterated these concerns, noting that Chinese law requires Chinese companies to “do
23 whatever the government wants them to in terms of sharing information or serving as a tool of
24 the Chinese government. And so that’s plenty of reason by itself to be extremely concerned.”

25 61. China-based companies are required by law to secretly provide consumer data
26 to the government upon demand.

27 62. The message contained in each of China’s state security laws passed since the
28 beginning of 2014 is clear: everyone is responsible for the party-state’s security. According to
the CCP’s definition of state security, “the Party’s political leadership is central...” And the
party expects Chinese people and citizens to assist in collecting intelligence. The Intelligence
Law states “any organization and citizen shall, in accordance with the law, support, provide

1 assistance, and cooperate in national intelligence work, and guard the secrecy of any national
2 intelligence work that they are aware of..." Not only is everyone required to participate in
3 intelligence work when asked, but that participation must be kept secret.

4
5 **C. Temu Uses Unfair Business Practices to Get Users to Engage with the App.**

6 63. Defendants actively utilize manipulative and deceptive practices in order to
7 maximize the number of users who sign up to use the app, thereby maximizing the amount of
8 data that Defendants can misappropriate. According to one commentator, "TEMU is a
9 notoriously bad actor in its industry. We see rampant user manipulation, chain-letter-like
10 affinity scams to drive signups, and overall, the most aggressive and questionable techniques
11 to manipulate large numbers of people to install the app."

12 64. Defendants seek to induce users to sign up for the Temu App with the promise
13 of low-cost, high-quality goods manufactured in China. Defendants underscore this aspect of
14 the platform through a variety of mechanisms such as pop-ups with wheels to spin for
15 discounts, tokens to collect, and countdown clocks.

16 65. These tactics have been wildly successful: "PDD's TEMU online marketplace
17 is being reported as among the fastest uptaken apps in history."

18 66. These practices have allowed Defendants to maximize their access to user data
19 through the false promise of low-cost, high-quality goods. Moreover, they further demonstrate
20 that Defendants' real business is not providing a platform for the sale of quality merchandise,
21 but rather obtaining access to user data under false pretenses, which they then misappropriate
22 and seek to monetize.

23 67. Defendants utilize additional deceptive marketing techniques to induce users to
24 sign up for the platform and grant Defendants access to user data. For example, Defendants
25 run what has been described as an "affinity scam" or "chain letter" like tactic where users are
26 repeatedly urged to sign up their friends and acquaintances in order to expand the number of
27 users whose data Defendants may then access through the App.

28 68. Among other things, Temu offers credit and free items to users who get their
friends and acquaintances to sign up for the app. "Those who do register are subjected to a
bombardment of emails and app notifications."

1 69. “Once you give TEMU your personal information, you will be repeatedly
2 spammed, hounded, nagged, and bribed to get your friends and family to give TEMU their
3 personal information. When users fall down this rabbit hole (getting that Nintendo Switch
4 absolutely free), TEMU sends a torrent of popup sequences milking users for ‘just one more
5 contact’.”

6 70. In addition, Temu users are bombarded by notifications and spam from third
7 parties other than Defendants. These emails and notifications occur even after users delete the
8 app from their devices and even when users seek to block such notifications.

9 71. Moreover, Temu has utilized online “influencers” to harvest new users on an
10 even larger scale. “There are now literally thousands of so-called ‘influencers’ hawking
11 TEMU referrals on Reddit, YouTube, TikTok, and also Minecraft, Roblox, Discord... the
12 pitch is: ‘You don’t have to buy anything, just sign up!’” “If you have a social media
13 presence, TEMU will figure that out and will start to spam you – every day – to induce you to
14 create videos promoting TEMU, for which they promise to pay.”

15 72. Defendants attract and maintain users through other fraudulent means. For
16 example, “TEMU ... compensates users to write reviews,” which are then “obviously skewed
17 positive.” Moreover, reviews are categorized in a deceptive manner with reviews
18 characterized as “five stars” positive reviews when in reality they contain extremely negative
19 comments about the platform.

20 73. Finally, as illustrated by its gamified nature, Temu is designed to be highly
21 addictive. As one report notes, “[t]he app successfully keeps people hooked. The average user
22 spends around 28 minutes a day on the app, according to Sensor Tower, nearly double the 16
23 minutes spent on Amazon.” The more time users spend on the app, the more data is available
24 for covert collection by Defendants in violation of users’ right to privacy in their personal
25 data.

26 74. As one analysis observes, the addictive tactics extend not only to users
27 continued use of the platform, but also inducing individuals to sign up for the app: “Your
28 behavior will be categorized and siloed. If these kinds of inducements exert an addictive pull
29 on your brain, AI pattern recognition will guarantee you will see a lot more of them.”

1 **C. Plaintiffs' Have Been Harmed by Temu's Violations.**

2 75. The United States Supreme Court has recognized that, in contemporary
3 society, cell phones are so ubiquitous and inextricably intertwined with the user's personal
4 privacy that the devices have become "almost a 'feature of human anatomy.'" *Carpenter v.*
5 *United States*, 138 S. Ct. 2206, 2218 (2018) (quoting *Riley v. California*, 573 U.S. 373, 385
6 (2014)).

7 76. As a result of their multiple violations of users' data privacy, Defendants
8 possess identifying information, biometric identifiers and information, and other data
9 sufficient to create a file of private and personally identifiable data and content for Plaintiffs.
10 Such files can be supplemented over time with additional private and personally identifiable
11 user data and content, and all of this private and personally identifiable data and information
12 has been, is, and will be used in the past, the present, and the future for economic and
13 financial gain.

14 77. Meanwhile, Plaintiffs have incurred, and continue to incur, harm as a result of
15 the invasion of privacy stemming from Defendants' possession of their private and personally
16 identifiable data and content – including their user identifiers, biometric identifiers and
17 information, and other data.

18 78. Plaintiffs have suffered and continue to suffer harm in the form of diminution
19 of the value of their private and personally identifiable data and content as a result of
20 Defendants' surreptitious and unlawful activities.

21 79. Plaintiffs have a reasonable expectation of privacy in the private and personally
22 identifiable data and content on their mobile devices.

23 80. Through the unauthorized collection of their data, Plaintiffs' may have suffered
24 additional injuries. The data collected from Temu users by these unauthorized means can be
25 misused by Defendants themselves in ways that are not authorized, including the information
26 being sold or given to unauthorized third parties without the consent of Plaintiffs.

27 81. Temu users may be subjected to additional injuries, including the provision or
28 sale of their data to unauthorized third parties or the use of their data in ways that users did not
authorize by Defendants themselves.

FIRST CAUSE OF ACTION
VIOLATION OF THE ELECTRONIC COMMUNICATIONS PRIVACY ACT OF
1986 (ECPA).
18 U.S.C. §§ 2510 ET SEQ.
(All Plaintiffs Against All Defendants)

82. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

83. The Electronic Communications Privacy Act of 1986, 18 U.S.C. §§ 2510, et seq., prohibits the interception of any wire, oral, or electronic communications without the consent of at least one authority party to the communication. The statute confers a civil cause of action on “any person whose wire, oral, or electronic communication is intercepted, disclosed, or intentionally used in violation of this chapter.” (*see*; 18 U.S.C. § 2510(4)).

84. “Intercept” is defined as “the aural or other acquisition of the contents of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device.” (*see*; 18 U.S.C. § 2510(4)).

85. “Contents” is defined as “includ[ing] any information concerning the substance, purport, or meaning of that communication.” (*see*; 18 U.S.C. § 2510(4)).

86. “Person” is defined as “any employee, or agent of the United States or any State or political subdivision thereof, and any individual, partnership, association, joint stock company, trust, or corporation.” (*see*; 18 U.S.C. § 2510(4)).

87. “Electronic communication” is defined as “any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo optical system that affects interstate or foreign commerce” (*see*; 18 U.S.C. § 2510(4)).

88. For the purposes of the ECPA, Defendants, as a corporation are each defined as a “person.”

89. The Temu App/platform was designed with malware written into its code that secretly accesses texts, emails and other content on users’ computers, phones and/or mobile devices, each constituting a “device or apparatus.”

90. Defendants used the Temu app/platform to intercept wire, oral, or electronic communication through electronic means on users’ devices.

1 91. For the purposes of 18 U.S.C. § 2510(12), Plaintiffs' texts, emails, electronic
2 interactions with others on social media and websites, sensitive personal information, and
3 data, and interactions with other individuals and websites are "electronic communication(s)."

4 92. Through the Temu App/platform Defendants surreptitiously intercepted
5 plaintiffs' "electronic communication[s]".

6 93. Plaintiffs have an expectation of privacy in such communications, and
7 exercised a reasonable expectation of privacy concerning the transmission of those messages,
8 and reasonably believed that their electronic communications were not being intercepted,
9 recorded, copied, disseminated, and/or misappropriated.

10 94. Plaintiffs' electronic communications were intercepted during transmission,
11 without their consent and for the unlawful and/or wrongful purpose of monetizing private
12 information and data, including by using their private information and data to develop
13 marketing and advertising strategies and utilizing user data for other commercial advantage.

14 95. Defendants were not parties to Plaintiff's communications.

15 96. Defendants are sophisticated parties, who at all relevant times knowingly,
16 willfully and intentionally intercepted Plaintiffs electronic communications through the Temu
17 App/platform.

18 97. Plaintiffs did not consent to Defendants' interception, disclosure, use and/or
19 misuses and misappropriation of their electronic communications.

20 98. Defendants violated 18 U.S.C. § 2511(1)(a) by intentionally intercepting,
21 and/or attempting to intercept, messages transmitted by Plaintiffs who have used the Temu
22 app/platform.

23 99. Defendants violated 18 U.S.C. § 2511(1)(a), by using Plaintiffs' intercepted
24 communications and data intentionally for corporate gain and profit.

25 100. Defendants were unjustly enriched by their unauthorized interception of
26 Plaintiffs' electronic communications.

27 101. Defendants violated 18 U.S.C. § 2511(1)(a), by making Plaintiffs'
28 communications accessible by third parties, including the Chinese Communist Party and
foreign governmental entities whose interests are opposed to those of United States citizens.

102. Plaintiffs suffered and will continue to suffer damages including but not limited to loss of their information and loss of money and costs incurred, all of which have ascertainable value to be proven at trial.

103. Pursuant to 18 U.S.C. § 2520, Plaintiffs have been damaged by the interception, disclosure, and/or use of their communications in violation of the ECPA and are each entitled to: (1) appropriate equitable or declaratory relief; (2) damages, in an amount to be determined at trial, assessed as the greater of (a) the sum of the actual damages suffered by Plaintiffs and any profits made by Defendants as a result of the violation, or (b) statutory damages of whichever is the greater of \$100 per day per violation or \$10,000; and (3) reasonable attorneys' fees and other litigation costs reasonably incurred.

SECOND CAUSE OF ACTION
VIOLATION OF THE COMPUTER FRAUD AND ABUSE ACT,
18 U.S.C. §§ 1030
(All Plaintiffs Against All Defendants)

104. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

105. The Computer Fraud and Abuse Act, 18 U.S.C. § 1030, referred to as "CFAA," regulates fraud and related activity in connection with computers, and makes it unlawful to intentionally access a computer used for interstate commerce or communication, without authorization or by exceeding authorized access to such a computer, thereby obtaining information from such a protected computer, within the meaning of U.S.C. § 1030(a)(2)(C).

106. 18 U.S.C. § 1030(a)(5)(A)(i) makes it unlawful to "knowingly cause the transmission of a program, information, code, or command and as a result of such conduct, intentionally cause damage without authorization, to a protected computer," of a loss to one or more persons during any one-year period aggregating at least \$5,000 in value.

107. 18 U.S.C. § 1030(g) provides a civil cause of action to "any person who suffers damage or loss by reason of a violation of CFAA."

108. Defendants violated 18 U.S.C. § 1030 by intentionally accessing Plaintiffs' computers without authorization or by exceeding authorization, and by obtaining information from a protected computer.

1 109. Plaintiffs' computer, smartphone, and/or mobile devices, such as a tablet or
2 iPad is a "protected computer . . . which is used in interstate commerce and/or
3 communication" within the meaning of 18 U.S.C. § 1030(e)(2)(B).

4 110. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(i) by knowingly causing the
5 transmission of data and programs on Plaintiffs' protected computers.

6 111. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(i) by storing sniffing code to
7 access, collect, and transmits details of Plaintiffs' web activities and communications.

8 112. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(ii) by intentionally accessing
9 Plaintiffs' protected computers without authorization, and as a result of such conduct,
10 recklessly caused damage to Plaintiffs' computers by weakening the integrity of data and/or
11 system and/or information stored on Plaintiffs protected computers.

12 113. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(ii) by surreptitiously installing
13 dangerous malware and spyware onto Plaintiffs' protected computers causes the Plaintiffs to
14 suffer damage through the "impairment to the integrity or availability of data, a program, a
15 system or information."

16 114. Defendants' unlawful access to Plaintiffs' computers and electronic
17 communications has caused Plaintiffs irreparable injury.

18 115. Plaintiffs have suffered loss, as defined in 18 U.S.C. § 1030(e)(11). In
19 expending "reasonable cost" associated with Plaintiffs responding to the violating offense,
20 conducting a damage assessment, and restoring the data, program, system, or information to
21 its condition prior to the offense, and any revenue lost, cost incurred, or other consequential
22 damages incurred because of interruption of service or the data breach.

23 116. Plaintiffs have suffered damages by reason of Defendants' violations,
24 including, without limitation, violation of the right of privacy, and disclosure of personal
25 information that is otherwise private, confidential, and not of public record.

26 117. As a result of Defendants' conduct, Plaintiffs have suffered loss and damages
27 during any one-year period aggregating at least \$5,000 in real economic damages.
28

THIRD CAUSE OF ACTION
VIOLATION OF THE CALIFORNIA COMPREHENSIVE DATA ACCESS AND
FRAUD ACT,

CAL. PEN CODE. § 502

(All California Plaintiffs Against All Defendants)

118. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

119. Cal. Penal Code § 502 provides: “For purposes of bringing a civil or a criminal action under this section, a person who causes, by any means, the access of a computer, computer system, or computer network in one jurisdiction from another jurisdiction is deemed to have personally accessed the computer, computer system, or computer network in each jurisdiction.” Smart phone devices with the capability of using web browsers are “computers” within the meaning of the statute.

120. Defendants violated Cal. Penal Code § 502(c)(2) by knowingly accessing and without permission taking, copying, analyzing, and using Plaintiffs’ “computer” browsing data.

121. Defendants were unjustly enriched when it surreptitiously acquired Plaintiffs’ sensitive and valuable personal information without permission and used it for Defendants’ financial benefit.

122. Plaintiffs retain a stake in the profits Defendants earned from their personal data, as under the circumstances, it is unjust for the Defendants to retain those profits.

123. Defendants accessed, copied, took, analyzed, and used data from Plaintiffs’ computers in and from the State of California, where the Defendants used servers that provided communication links between Plaintiffs’ devices and the Defendants’, which allowed the Defendants to access and obtain Plaintiffs’ data. Accordingly, the Defendants caused the access of Plaintiffs’ computers from California, and is therefore deemed to have accessed Plaintiffs’ computers in California.

124. As a direct and proximate result of the Defendants’ unlawful conduct within the meaning of Cal. Penal Code § 502, the Defendants have caused actual losses to Plaintiffs and has been unjustly enriched in an amount to be proven at trial.

1 125. Plaintiffs seek compensatory damages and/or disgorgement of profits in an
2 amount to be proven at trial.

3 126. Plaintiffs are entitled to exemplary damages pursuant to Cal. Penal Code §
4 502(e)(4) because the Defendants' violations were willful and, upon information and belief,
5 the Defendants are guilty of oppression, fraud, or malice as defined in Cal. Civil Code § 3294.

6 127. Plaintiffs are also entitled to recover their reasonable attorneys' fees pursuant
7 to Cal. Penal Code § 502(e).

8 **FOURTH CAUSE OF ACTION**
9 **VIOLATION OF THE CALIFORNIA INVASION OF PRIVACY ACT,**
10 **CAL. PENAL CODE §§ 630, ET SEQ.**
11 **(All California Plaintiffs Against All Defendants)**

12 128. Plaintiffs reallege and incorporate by reference, as through fully set forth
13 herein, each and every allegation set forth above.

14 129. The California Invasion of Privacy Act ("CIPA") is codified at Cal. Penal Code
15 §§630 to 638.

16 130. The California Legislature enacted the California Invasion of Privacy Act, Cal.
17 Penal Code §§ 630, et seq. ("CIPA") finding that "advances in science and technology have
18 led to the development of new devices and techniques for the purpose of eavesdropping upon
19 private communications and that the invasion of privacy resulting from the continual and
20 increasing use of such devices and techniques has created a serious threat to the free exercise
21 of personal liberties and cannot be tolerated in a free and civilized society." *Id.* § 630. Thus,
the intent behind CIPA is "to protect the right of privacy of the people of this state." *Id.*

22 131. Cal. Pen. Code § 631(a) imposes liability upon: "Any person who, by means of
23 any machine, instrument, or contrivance, or in any other manner . . . willfully and without the
24 consent of all parties to the communication, or in any unauthorized manner, reads, or attempts
25 to read, or to learn the contents or meaning of any message, report, or communication while
26 the same is in transit or passing over any wire, line, or cable, or is being sent from, or received
27 at any place within this state; or who uses, or attempts to use, in any manner, or for any
purpose, or to communicate in any way, any information so obtained, or who aids, agrees

1 with, employs, or conspires with any person or persons to lawfully do, or permit, or cause to
2 be done any of the acts or things mentioned above in this section . . .”

3 132. Cal. Pen. Code § 632(a) imposes liability upon: “A person who, intentionally
4 and without the consent of all parties to a confidential communication, uses an electronic
5 amplifying or recording device to eavesdrop upon or record the confidential communication,
6 whether the communication is carried on among the parties in the presence of one another or
7 by means of a telegraph, telephone, or other device, except a radio.”

8 133. Plaintiffs have an expectation of privacy in their private and personally
9 identifiable data and information, and they exercised a reasonable expectation of privacy
10 concerning the transmission of such information.

11 134. Under either section of the CIPA quoted above, a defendant must show it had
12 the consent of all parties to a communication. However, without the consent of either the
13 sender or recipient, Defendants intercepted and recorded messages and electronic
14 communications transmitted using the Temu App/platform without Plaintiffs’ consent or
15 knowledge.

16 135. Defendants knowingly and intentionally used and continue to use the Temu
17 App/platform and associated servers and other computer devices, to read, attempt to read,
18 learn, attempt to learn, eavesdrop, record, and/or use electronic communications containing
19 private data from Plaintiffs, these electronic communications were and are in transit,
20 originating in or sent to California, and without the authorization or consent of Plaintiffs.

21 136. Acts by Defendants in violation of the CIPA occurred in the State of California
22 because those acts resulted from business decisions, practices, and operating policies that
23 Defendants developed, implemented, and utilized in the State of California and which are
24 unlawful and constitute criminal conduct in the state of California.

25 137. Defendants profited and continue to profit in the State of California as a result
26 of these repeated and systemic violations of CIPA. Defendants’ unlawful conduct, which
27 occurred in the State of California, harmed and continues to harm Plaintiffs.

28 138. The communications intercepted by Defendants include “contents” of
electronic communications exchanged between Plaintiffs, on the one hand, and third parties
through shared communications.

1 139. Defendants recorded and stored such private message content, separate from
2 the process of transmitting the message to the intended recipient.

3 140. Defendants purposefully designed the Temu app/platform in a way that they
4 knew Plaintiffs' privacy rights would be violated, in that their messages would be unlawfully
5 intercepted and recorded.

6 141. Under Cal. Penal Code § 631(a) The following constitute "machine[s],
7 instrument[s], or contrivance[s]: (a) Plaintiff's personal computing devices; (b) the computer
8 codes and programs Defendants used to effectuate the interception of communications; (c)
9 Defendants' servers; (d) and the plan Defendants carried out to effectuate the interception of
the communications that were exchanged with Plaintiffs'.

10 142. In the alternative, Defendants' purposeful scheme that facilitated its
11 interceptions falls under the broad statutory catch-all category of "any other manner".

12 143. The private data Defendants collected constitutes "confidential
13 communications," as that term is used in Cal. Pen. Code § 632(a), because Plaintiffs have an
14 objectively reasonable expectation of privacy in their communications.

15 144. Plaintiffs did not consent to Defendants' interception, disclosure, and/or use of
16 their electronic communications.

17 145. The unauthorized interceptions described herein are not covered by any
18 business exception because the interceptions were not required to facilitate the
communications.

19 146. Plaintiffs have suffered actual losses by reason of these violations, including,
20 but not limited to, violation of their rights to privacy and loss of value in their personally
21 identifiable information.

22 147. Plaintiffs have a property right in their private communications, videos and
23 messages such that interception of those messages violated those rights and therefore caused
them injuries and damages.

24 148. Plaintiffs suffered further economic injury as a result of Defendants' unlawful
25 and unauthorized interceptions and recordings of communications. The battery, memory, CPU
26 and bandwidth of their cellular devices have been compromised and they incurred additional
27 data and electricity costs that they otherwise would not have.

1 149. Pursuant to Cal. Pen. Code § 637.2, Plaintiffs have been injured by the
2 violations of Cal. Pen. Code §§ 631, 632, and each seeks damages for the greater of \$5,000 or
3 three times the amount of actual damages, as well as injunctive or other equitable relief.

4 150. Plaintiffs have also suffered irreparable injury from these unauthorized acts of
5 disclosure; their personal, private, and sensitive data have been collected, viewed, accessed,
6 stored, and used by Defendants, and have not been destroyed. Due to the continuing threat of
7 such injury, Plaintiffs have no adequate remedy at law. Plaintiffs are entitled to injunctive
8 relief.

9 **FIFTH CAUSE OF ACTION**

10 **VIOLATION OF THE CALIFORNIA UNFAIR COMPETITION LAW,**

11 **CAL. BUS. & PROF. CODE. §§ 17200 ET SEQ.**

12 **(All California Plaintiffs Against All Defendants)**

13 151. Plaintiffs reallege and incorporate by reference, as through fully set forth
14 herein, each and every allegation set forth above.

15 152. California Unfair Competition Law (UCL) prohibits any “unlawful, unfair, or
16 fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising.”
17 Cal. Bus. & Prof. Code § 17200.

18 153. The Defendants’ “unlawful” acts and practices include its violation of the
19 Federal Wiretap Act, 18 U.S.C. § 2510, et seq.; the California Invasion of Privacy Act, Cal.
20 Penal Code §§ 631 and 632; the California Computer Data Access and Fraud Act, Cal. Penal
21 Code § 502, et seq.; and Invasion of Privacy.

22 154. The Defendants’ conduct violated the spirit and letter of these laws, which
23 protect property, economic and privacy interests and prohibit unauthorized disclosure and
24 collection of private communications and personal information.

25 155. The Defendants’ “unfair” acts and practices include its violation of property,
26 economic and privacy interests protected by the statutes identified above.

27 156. Plaintiffs have suffered injuries-in-fact, including the loss of money and/or
28 property as a result of the Defendants’ unfair and/or unlawful practices. Plaintiffs have
suffered unauthorized disclosure and taking of their personal information which has value, as
demonstrated by its use and sale by the Defendants’.

157. Plaintiffs have suffered harm in the form of diminution of the value of their private and personally identifiable data and content.

158. The Defendants' actions caused damage to, and loss of, Plaintiffs' property right to control the dissemination and use of their personal information and communications.

159. The Defendants reaped unjust profits and revenues in violation of the UCL. This includes the Defendants profits and revenues from their targeted-advertising. Plaintiffs seek restitution and disgorgement of these unjust profits and revenues.

SIXTH CAUSE OF ACTION

VIOLATION OF THE CALIFORNIA FALSE ADVERTISING LAW,

CAL BUS. & PROF. CODE. §§ 17500 ET SEQ.

(All California Plaintiffs Against All Defendants)

160. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

161. California's False Advertising Law (the "FAL") – Cal. Bus. & Prof. Code §§ 17500, et seq. – prohibits "any statement" that is "untrue or misleading" and made "with the intent directly or indirectly to dispose of" property or services.

162. Defendants' advertising and other statements regarding the Temu App/platform are, and at all relevant times were, highly misleading.

163. Defendants do not disclose at all, or do not meaningfully disclose, the private and personally identifiable data and content – including user/device identifiers, biometric identifiers and information, electronic communications, and private data and information – that they have collected and transferred from the Plaintiffs' devices and computers. Nor do Defendants disclose that the Plaintiffs' private and personally identifiable data and content have been made available to the Chinese Communist Party and foreign government entities.

164. Reasonable consumers, like the Plaintiffs', are – and at all relevant times were – likely to be misled by Defendants' misrepresentations.

165. Reasonable consumers lack the means to verify Defendants' representations concerning their data and content collection and use practices, or to understand the fact or significance of Defendants' data and content collection and use practices.

1 166. Plaintiffs have been harmed and have suffered economic injury as a result of
2 Defendants' misrepresentations. First, they have suffered harm in the form of diminution of
3 the value of their private and personally identifiable data and content.

4 167. Plaintiffs have a property interest in the personally identifiable information and
5 other personal information taken by Defendants. There is a market for such data and Plaintiffs
6 have been deprived of the money or property they would have received for the data
improperly collected by Defendants.

7 168. Second, they have suffered harm to their devices. The battery, memory, CPU
8 and bandwidth of such devices have been compromised, and as a result the functioning of
9 such devices has been impaired and slowed.

10 169. Third, they have incurred additional data usage and electricity costs that they
11 would not otherwise have incurred.

12 170. Fourth, they have suffered harm as a result of the invasion of privacy stemming
13 from Defendants' accessing their private and personally identifiable data and content –
14 including user/device identifiers, biometric identifiers and information, and other private data
and information.

15 171. Defendants, as a result of their misrepresentations, have been able to reap
16 unjust profits and revenues. This includes Defendants' profits and revenues from their
17 targeted advertising, revenue from the sale of goods on the Temu App/platform, and increased
18 consumer demand for and use of Defendants' other products and services. Plaintiffs seek
19 restitution and disgorgement of these unjust profits and revenues.

20 172. Unless restrained and enjoined, Defendants will continue to misrepresent their
21 private and personally identifiable data and content collection and use practices and will not
22 recall and destroy Plaintiffs' wrongfully collected private and personally identifiable data and
23 content. Accordingly, injunctive relief is appropriate.

24 **SEVENTH CAUSE OF ACTION**
25 **VIOLATION OF THE RIGHT OF PRIVACY UNDER THE CALIFORNIA**
26 **CONSTITUTION**
27 **(All California Plaintiffs Against All Defendants)**
28

1 173. Plaintiffs reallege and incorporate by reference, as through fully set forth
2 herein, each and every allegation set forth above.

3 174. The California Constitution and Common Law protect consumers from
4 invasions of their privacy and intrusion upon seclusion.

5 175. The right to privacy in California's constitution creates a right of action against
6 private entities such as the Defendants.

7 176. Plaintiffs' expectation of privacy is deeply enshrined in California's
8 Constitution. Article I, section 1 of the California Constitution provides: "All people are by
9 nature free and independent and have inalienable rights. Among these are enjoying and
10 defending life and liberty, acquiring, possessing, and protecting property and pursuing and
obtaining safety, happiness, and privacy."

11 177. The phrase "and privacy" was added by the "Privacy Initiative" adopted by
12 California voters in 1972. After voters approved a proposed legislative constitutional
13 amendment designated as Proposition 11. Critically, the argument in favor of Proposition 11
14 reveals that the legislative intent was to curb businesses' control over the unauthorized
collection and use of consumers' personal information, stating:

15 The right of privacy is the right to be left alone...It prevents
16 government and business interests from collecting and stockpiling
17 unnecessary information about us and from misusing information
18 gathered for one purpose in order to serve other purposes or to
embarrass us. Fundamental to our privacy is the ability to control
19 circulation of personal information. This is essential to social
relationships and personal freedom. BALLOT PAMP., PROPOSED
STATS. & AMENDS. TO CAL. CONST. WITH ARGUMENTS TO
VOTERS, GEN. ELECTION *26 (Nov. 7, 1972).

20 178. The principal purpose of this constitutional right was to protect against
21 unnecessary information gathering, use, and dissemination by public and private entities,
22 including the Defendants.

23 179. To plead a California constitutional privacy claim, "a plaintiff must show an
24 invasion of (1) a legally protected privacy interest; (2) where the plaintiff had a reasonable
25 expectation of privacy in the circumstances; and (3) conduct by the defendant constituting a
26 serious invasion of privacy."

27 180. The Defendants collected the data with the intent to intrude upon users'
28 seclusion and invade their constitutional privacy.

1 181. As described herein, The Defendants have intruded upon the following legally
2 protected privacy interests:

- 3 a. The California Invasion of Privacy Act as alleged herein;
4 b. The California Comprehensive Data Access and Fraud Act as alleged
5 herein;
6 c. A Fourth Amendment right to privacy contained on personal computing
7 devices, including web-browsing history, as explained by the United States
8 Supreme Court in the unanimous decision of *Riley v. California*;
9 d. The California Constitution, which guarantees Californians the right to
privacy;

10 182. The Defendants' Privacy Policy and policies referenced therein and other
11 public promises it made not to track or intercept Plaintiffs' communications or access their
12 computing devices and web-browsers while in a private browsing session.

13 183. Plaintiffs had a reasonable expectation of privacy under the circumstances in
14 that Plaintiffs could not reasonably expect the Defendants would commit unlawful and
15 offensive acts in violation of federal and state civil and criminal laws, and the Defendants
would and do secretly track their communications or access their computing devices.

16 184. The Defendants' actions constituted a serious invasion of privacy in that it,
17 invaded a zone of privacy protected by the Fourth Amendment, namely the right to privacy in
18 data contained on personal computing devices, including conversations, and other personal
19 data.

20 185. Violated dozens of state criminal laws on wiretapping and invasion of privacy,
21 including the Federal Wire Tap Law and The California Invasion of Privacy Act;

22 186. Invaded the privacy rights of hundreds of millions of consumers (including
23 Plaintiffs) without their consent.

24 187. Constituted the unauthorized taking of valuable information from hundreds of
25 millions of consumers (including Plaintiffs) through deceit.

26 188. Further violated Plaintiffs' reasonable expectation of privacy via the
27 Defendants' review, analysis, and subsequent use of Plaintiffs' private conversations and data
28 that Plaintiffs considered sensitive and confidential.

189. The surreptitious and unauthorized tracking of the internet communications of Plaintiffs, constitutes an egregious breach of social norms that is highly offensive.

190. The Defendants' invasion of privacy into Plaintiffs' internet communications and their computing devices, was highly offensive to a reasonable person in that they violated federal and state criminal and civil laws designed to protect individual privacy and against theft.

191. Following the Defendants' unauthorized interception of the sensitive and valuable personal information, the subsequent analysis and use of that private data to develop and refine profiles on Plaintiffs violated their reasonable expectations of privacy.

192. Wiretapping and surreptitious recording of communications is highly offensive behavior.

193. The Defendants lacked a legitimate business interest in tracking users while browsing the internet in incognito mode without their consent.

194. Plaintiffs have been damaged by the Defendants' invasion of their privacy and they are entitled to just compensation and injunctive relief.

EIGHTH CAUSE OF ACTION
INTRUSION UPON SECLUSION

(All California Plaintiffs Against All Defendants)

195. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

196. Plaintiffs asserting claims for intrusion upon seclusion must plead: "(1) intrusion into a private place, conversation, or matter; (2) in a manner highly offensive to a reasonable person."

197. In carrying out its scheme to track and intercept Plaintiffs' communications while they were using the Temu App/platform, the Defendants violated Plaintiffs' rights to privacy and seclusion.

198. The Defendants intentionally intruded upon Plaintiffs' solitude or seclusion in that it effectively placed itself in the middle of conversations to which it was not an authorized party.

199. The Defendants' tracking and interception were not authorized by Plaintiffs, the Websites, and/or any other third party with which they were communicating with.

200. The Defendants' intentional intrusion into their internet communications and their computing devices was highly offensive to a reasonable person in that they violated federal and state criminal and civil laws designed to protect individual privacy and against theft.

201. The taking of personally identifiable information from Plaintiffs through deceit is highly offensive behavior.

202. Secret monitoring of private web browsing is highly offensive behavior.

203. Wiretapping and surreptitious recording of communications is highly offensive behavior.

204. Plaintiffs have been damaged by the Defendants' invasion of their privacy and are entitled to reasonable compensation including but not limited to disgorgement of profits related to the unlawful internet tracking.

PRAYER

WHEREFORE, Plaintiffs respectfully requests that this court:

- a. Entry of an order declaring that Defendants' actions, as set forth in this Complaint, violate the law;
- b. That the Plaintiffs be awarded all costs and litigation expenses incurred in bring this action;
- c. For reasonable attorneys' fees and costs incurred in bringing this action;
- d. A judgment in favor of Plaintiffs awarding them appropriate monetary relief, including actual and statutory damages, including statutory damages under the CDAFA, punitive damages, attorney fees, expenses, costs, and such other and further relief as is just and proper.
- e. Entry of judgment in favor of Plaintiffs awarding compensatory damages, including statutory damages where available, to Plaintiffs and each of them, against Defendants for all damages sustained as a result of


- 1 Defendants' wrongdoing, in an amount to be proven at trial, including
2 interest thereon;
- 3 f. Award Plaintiffs pre- and post-judgment interest;
- 4 g. Award Plaintiffs their costs of suit, including reasonable attorneys' fees and
5 expenses;
- 6 h. Order disgorgement of all of Defendants' profits that were derived, in whole
7 or in part, from the Defendants' interception and subsequent use of
8 Plaintiffs' communications;
- 9 i. Award punitive damages in an amount to prevent Defendants' further
10 misconduct;
- 11 j. Entry of a permanent injunction, including public injunctive relief, enjoining;
- 12 k. Grant Plaintiffs such further relief as the Court deems appropriate. Plaintiffs
13 and each of them seek an award of actual damages to be determined at trial.
14

15 **JURY TRIAL DEMAND**

16 Plaintiffs demand a trial by jury of all issues so triable.
17

18
19 POTTER HANDY, LLP

20
21 Dated: March 7, 2025

22 
23 _____
24 Krista Hemming
25 Attorneys for Plaintiffs
26
27
28

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COMPLAINT: Attachment 1

BREEAUNNA HENRY, ET AL., V. WHALECO, INC., d/b/a TEMU, ET AL.,

2	Jason Vallade	AK
3	Natalie Smyre	AK
4	Alisha Jones	AL
5	Angela Caudle	AL
6	Audra Peters	AL
7	Billy Durkee	AL
8	Camakia Johnson	AL
9	Casey Pickens	AL
10	Chad McCain	AL
11	Christopher Collier	AL
12	Cotina Sanders	AL
13	Dana Ravizee	AL
14	Daniel Erickson	AL
15	Deborah Colley	AL
16	Deborah Heitzman	AL
17	Dusty Free	AL
18	Elayne Terry	AL
19	Giovanni Gilbreath	AL
20	James Sugg	AL
21	Jamie Earp	AL
22	Jessica Tillery	AL
23	Karen Scott	AL
24	Leslie Stone	AL
25	Maria Sanchez	AL
26	Marie Hubbard	AL
27	Melissa Fair	AL
28	Michelle Zipp	AL
29	Monica Evans	AL
30	Pamela Lowe	AL
31	Penny Gordon	AL
32	Phyllis Lett	AL
33	Phyllis Meyer	AL
34	Sarritha Scales	AL

35	Sebrena Lynn	AL
36	Shane Byrd	AL
37	Shirley Burrell	AL
38	Tammy Henderson	AL
39	Tracey Shockey	AL
40	Tremeka Battle	AL
41	Troy Jerome	AL
42	Vakari Hutchinson	AL
43	Velma McCall	AL
44	Yulondra Rhone	AL
45	Alice Miller	AR
46	Betty Mathis	AR
47	Brittney Williams	AR
48	Cassandra Summers	AR
49	Ginger Kelley	AR
50	Helen Brown	AR
51	Karen Mitchell	AR
52	Rick Myers	AR
53	Sharon Johnson	AR
54	Terry Gibson II	AR
55	Aimee Solano	AZ
56	Anthony Hernandez	AZ
57	April Martinez	AZ
58	Brandy Reinecke	AZ
59	Carley Capps	AZ
60	Debbie Murray	AZ
61	Garrett Brown	AZ
62	Gil Gordian	AZ
63	Hurticine Chukwudire	AZ
64	Javier Diaz	AZ
65	Lashanda Daviss	AZ
66	Laura Hathaway	AZ
67	Melissa Carter	AZ

68	Mike McKeon	AZ
69	Willey Hathaway	AZ
70	Ahmed Afridi	CA
71	Alec Pilavian	CA
72	Alex Bell	CA
73	Alexis Sixtos	CA
74	Alexis Waite	CA
75	Alicia Bernal	CA
76	Amanda Koga	CA
77	Angela Maldonado	CA
78	Angela Martinez	CA
79	Angie Madkins	CA
80	Ant George	CA
81	Anthony Mitchell	CA
82	Anthony Ortiz	CA
83	Ashanti Phannix	CA
84	Benjamin Pinion	CA
85	Bertha Meza	CA
86	Brittney Falsey	CA
87	Carolyn Harrison	CA
88	Caron James	CA
89	Carrie Roberts	CA
90	Chanell Willis	CA
91	Charte Meth	CA
92	Cheryl Sauer	CA
93	Chloe Ceccia	CA
94	Christian Loza	CA
95	Christian Tyrone Posadas	CA
96	Christian Vetrano	CA
97	Christina Quinonez	CA
98	Christopher Butler	CA
99	Damen Barbee	CA
100	Danielle Koepke	CA
101	Dava Taylor	CA
102	David Pichon	CA
103	Dawn Rubio	CA
104	Devin Franke	CA
105	Dionne Young	CA
106	Dustin Barnett	CA
107	Dylan Vu	CA
108	Eli Spector	CA
109	Elias Ochoa	CA
110	Emlyn Coverdale	CA
111	Ethan Lopez	CA

112	Felipe Samano	CA
113	Fernando Caire	CA
114	Gail Douglas	CA
115	Gayle Brownlee	CA
116	George Nino	CA
117	Hazel Ramirez	CA
118	Ilan Justh	CA
119	Irais Vital	CA
120	Isaiah Rodriguez	CA
121	Jackiane Moseley	CA
122	Jaime Comer	CA
123	James Gates	CA
124	Jema Isais	CA
125	Jemma Lawler	CA
126	Jennifer Brown	CA
127	Jennifer Huggins	CA
128	Jeremy Perez	CA
129	Jessica Murga	CA
130	Jonetta James	CA
131	Joshua Maddux	CA
132	Katelyn Nelson	CA
133	Katelyn Odonnell	CA
134	Katherine Valenzuela	CA
135	Kattia Alvarez	CA
136	Kenyera Moya	CA
137	Kevin Martínez	CA
138	Kimberly Ellis	CA
139	Kristine Hemady	CA
140	Lakema Tate	CA
141	Laquita Strong	CA
142	Larry Jones	CA
143	Larry McCafferty	CA
144	Lashonda Gibbs	CA
145	Leigha Herrera	CA
146	Linda Flores	CA
147	Lyndsey Rower	CA
148	Madison Vierstra	CA
149	Malinda Childers	CA
150	Marcus Lomeli	CA
151	Mario Halim	CA
152	Mario Montoya	CA
153	Mark Baty	CA
154	Marlene Corgile	CA
155	Martin Abril	CA

156	Matthew Lee	CA
157	Mechelle Goshen	CA
158	Megan Parks	CA
159	Meghan Figueiredo	CA
160	Melinda Paxton	CA
161	Melissa Quintana	CA
162	Michael Daniel	CA
163	Michael Jameson	CA
164	Michelle Voos	CA
165	Nathan Lance Irwin	CA
166	Nicholas DeBrito	CA
167	Nick Mizokami	CA
168	Nicole Leyde	CA
169	Noah Snyder	CA
170	Nora Vongkeo	CA
171	Nyla Myles	CA
172	Ofelia Villalobos Gomez	CA
173	Olivia Tober	CA
174	Omar Marquez	CA
175	Parker Christian	CA
176	Patricia Alvarado	CA
177	Peggy Rand	CA
178	Phil Smith	CA
179	Rachel Ferreira	CA
180	Regina Campbell	CA
181	Rene Arias	CA
182	Renee Simms	CA
183	Robby Cvejnovich	CA
184	Robert Dabbs	CA
185	Rosario Amezcua	CA
186	Rosemary Concepcion	CA
187	Ryan Lynch	CA
188	Sallie Castaneda	CA
189	Sepideh Sohrabnejad	CA
190	Sergio Romero	CA
191	Seth Keul	CA
192	Shabana Haq	CA
193	Shar Daniels	CA
194	Shayla Simmons	CA
195	Sherbaz Khalid	CA
196	Sherrie Neal	CA
197	Socorro Olmos	CA
198	Song Yang	CA
199	Stefanie Villalobos	CA

200	Stephanie Roberts	CA
201	Stephanie Tavares	CA
202	Stephen Guzman	CA
203	Stuart Rogoff	CA
204	Sulema Gutierrez	CA
205	Susan Brabant	CA
206	Talia Reyes	CA
207	Tamara Carter	CA
208	Tamara Wright	CA
209	Timothy Althouse	CA
210	Tsheba Shareef	CA
211	Twyla Roth	CA
212	Victoria Horkheimer	CA
213	Wendy Neal	CA
214	Whitney Bowman	CA
215	Wilson Catalan	CA
216	Wing-yi Lin	CA
217	Yeolanda Marcoff	CA
218	Ynez Benitez	CA
219	Angenette Lewis	CO
220	Brandi Jones	CO
221	Elizabeth Allison-Schwartz	CO
222	Golda Harris	CO
223	Holly Emmons	CO
224	Jazmine Ramirez	CO
225	Kathleen Carlson	CO
226	Lancelot Calderon	CO
227	Matt Nadeau	CO
228	Tammi Shelton	CO
229	Tuesday Rosales	CO
230	Christena Temple	CT
231	Deborah Karakurt	CT
232	Joseph Calash	CT
233	Lisa Romaniw	CT
234	Nicholas Volpe	CT
235	Adam Hersh	DC
236	Beth Larussa	DE
237	Carla Wright	DE
238	Michele Hall	DE
239	Patrick Macbride	DE
240	Shakerah White	DE
241	Alison Griffith	FL
242	Ann Barrett	FL
243	Antony Roman Santiago	FL

244	Becky Wyatt	FL
245	Betty Boccia	FL
246	Bonita Schafer	FL
247	Carmen Chambers	FL
248	Carol McIntyre	FL
249	Colleen Evola	FL
250	Coreen Sutphin	FL
251	Crystal Gravitt	FL
252	David Catino	FL
253	Dawn Hyre	FL
254	Denise Jandik	FL
255	Eboni Wright	FL
256	Eddie Barnes	FL
257	Ellen Berman	FL
258	Guy Bradshaw	FL
259	Jarrett Wise	FL
260	Jill Perseghin	FL
261	Joan Marchiano	FL
262	John Hernandez	FL
263	Jordan Selensky	FL
264	Jose Caro	FL
265	Julie Anderson	FL
266	Jultavious Osborne	FL
267	Kacia Flournoy	FL
268	Karyn Luff	FL
269	Keith Johnson	FL
270	Laura Hird	FL
271	Lisandra Reyes	FL
272	Maria Chibe	FL
273	Mark Rivkind	FL
274	Michelle Jenkins	FL
275	Nathaniel Waters	FL
276	Paul Cassie	FL
277	Paula Stanson	FL
278	Petrina Louis	FL
279	Regina Autrey	FL
280	Robert Kehr	FL
281	Robin Reitenour	FL
282	Sarah Bube	FL
283	Sonya Ray	FL
284	Stephanie Vermillion	FL
285	Suprina Byrd	FL
286	Susan Durkin	FL
287	Tammy Mikell	FL

288	Tammy Sullivan	FL
289	Tina Cummings	FL
290	Tina Owens	FL
291	Arabia Daniels	GA
292	Bernard Washington	GA
293	Bert Jardy	GA
294	Carrie Hall	GA
295	Danny Rowe	GA
296	Felicia Sanders	GA
297	Howard Harden	GA
298	Jennifer Haiduk	GA
299	Jill Earnest	GA
300	Lakesha Hillsman	GA
301	Lecia Miller	GA
302	Lezli Anglin	GA
303	Nichelle Taylor	GA
304	Nicole Mirallegro	GA
305	Pamela Bond	GA
306	Peter Le	GA
307	Rhonda Redmon	GA
308	Sheila Joshua	GA
309	Shera Tyner	GA
310	Tabitha Lynch	GA
311	Tami Shanahan	GA
312	Thersa Ealey-Hutchins	GA
313	Warrick Finnie	GA
314	William Roberts	GA
315	Reneldo Rodriguez	HI
316	Cheryl Greiner	IA
317	Jami Erickson	IA
318	Jennifer Ellis	IA
319	Jennifer Wolterman	IA
320	Linda Barnhardt	IA
321	Mitchell Schaub	IA
322	Rex Todd	IA
323	William Zimmerman	IA
324	Jennifer Pittser	ID
325	Shane Schaeffer	ID
326	Aimee Pickett	IL
327	Alicia Ross	IL
328	Allen Payne	IL
329	Alvin Carter	IL
330	Amy Bearden	IL
331	Amy Henderson	IL

332	Andrew Foster	IL
333	Annette Miller	IL
334	Anthony Ramsey	IL
335	Anthony Vincent	IL
336	April Johnson	IL
337	Ashley Jackson	IL
338	Ashley Romine	IL
339	Ashley Weeks	IL
340	Ayse Nur Dil Barutcu	IL
341	Bambi Kistler	IL
342	Barbara Moss	IL
343	Betty Reed	IL
344	Billie Dukes	IL
345	Bria Berger	IL
346	Brian Sanders	IL
347	Carla Rogers	IL
348	Carline Altine	IL
349	Carmen Burgos	IL
350	Carmen Schexnider	IL
351	Carrie Fishel	IL
352	Carrie Richmond	IL
353	Chantel Becker	IL
354	Charles Brooks	IL
355	Charles Unfricht	IL
356	Che Wallace	IL
357	Connie Scott	IL
358	Cynthia Courtney	IL
359	Danaria Randolph	IL
360	Daniel Sparks	IL
361	David Avery	IL
362	David Chavez	IL
363	David Freifeld	IL
364	David Lark	IL
365	Dawn Bromeland	IL
366	Dawn Rodgers	IL
367	Debbie Robinson	IL
368	Debora Murphy	IL
369	Deetta Shanks	IL
370	Demetrious Moore	IL
371	Denise Melton	IL
372	Denise Russell	IL
373	Derrick Elbus	IL
374	Dianner Spells	IL
375	Donald Tanksley	IL

376	Donna Golden	IL
377	Elena Do	IL
378	Elizabeth Slagle	IL
379	Ellie Rassin	IL
380	Eric Howard	IL
381	Felonee Schrage	IL
382	Frank Long	IL
383	Gadeer Hammad	IL
384	Garnet Tucker	IL
385	Gloria Brominski	IL
386	Grace Oczon	IL
387	Heather Ligue	IL
388	Heather Ruhl	IL
389	Hector Herrera	IL
390	Honey Dubes	IL
391	Howard Bowie	IL
392	Inez Beauchamp	IL
393	Iona Wilson	IL
394	Irvin Strait	IL
395	Jaime Zavala	IL
396	James Humpf Jr.	IL
397	Jamie Unholz	IL
398	Jayson Davis	IL
399	Jeff Perry	IL
400	Jennifer Mahoney	IL
401	Jennifer Rowan	IL
402	Jennifer Snow	IL
403	Jessica Myslinski	IL
404	Jinan Noah	IL
405	Joaquin Roque	IL
406	Jody Todd	IL
407	John Baumgarten	IL
408	Joseph Dzeima	IL
409	Joyce Newton	IL
410	Juan Lozano	IL
411	Kathleen Crowell	IL
412	Katie Thatcher	IL
413	Kelly Rymer	IL
414	Kimberly Sparks	IL
415	Kizzy Freeman	IL
416	Kristen Budnicki	IL
417	Kristina Ganssley	IL
418	Latrese Kennedy	IL
419	Levi Parker	IL

420	Linda Rodgers	IL
421	Linda Tranchant	IL
422	Linzy Courson	IL
423	Lisa Debaere	IL
424	Lisa Riley	IL
425	Madeline Soerens	IL
426	Malik Sylvester	IL
427	Marcus Spencer	IL
428	Margaret Smith	IL
429	Marica Harvey	IL
430	Marylee Gasaway	IL
431	Megan Hoepfner	IL
432	Melissa Berardi	IL
433	Melissa Naleway	IL
434	Michael Durbin	IL
435	Michael Turner	IL
436	Michael Villarreal	IL
437	Michelle Stovall	IL
438	Monica Baezs	IL
439	Muhammad Ehsan	IL
440	Nancy Watkins	IL
441	Nick Sellers	IL
442	Nicky Tucker	IL
443	Niya Young	IL
444	Octavia Bradley	IL
445	Patricia Lenckus	IL
446	Regeana Brister	IL
447	Renee Granata	IL
448	Rhonda Alexander	IL
449	Rosemary Palmer	IL
450	Rubie Lawson	IL
451	Salina Gonzalez	IL
452	Samantha Balchunas	IL
453	Sanela Alijagic	IL
454	Sara Evanusich	IL
455	Scott Jones	IL
456	Seneca James	IL
457	Shadea Maguire	IL
458	Shalimar Acosta-Aguayo	IL
459	Shaneika Williams	IL
460	Shannon Schultheis	IL
461	Shawn Foote	IL
462	Shelby Weller	IL
463	Sherrie Devening	IL

464	Stephanie Mcgee	IL
465	Tamicya Waddell	IL
466	Tasha Buckley	IL
467	Tasha Callahan	IL
468	Terry Clay	IL
469	Terry Jones	IL
470	Thamara Estrada	IL
471	Tiffany Reese	IL
472	Tina Wright	IL
473	Tony Baker	IL
474	Trent Gunderson	IL
475	Trystin Moy	IL
476	Twila Powell	IL
477	Ulysses Ramirez	IL
478	Valerie Parker	IL
479	Veronica Williams	IL
480	Vicky Lipsky	IL
481	Victoria Boscacci	IL
482	Wendi Fleming	IL
483	William Boards	IL
484	William Little	IL
485	Williemae Nance	IL
486	Yashica Grandberry	IL
487	Anita Langford	IN
488	Brad Tackett	IN
489	Cindy Bragdon	IN
490	Cindy Call	IN
491	Corey Green	IN
492	Daryl Bierma	IN
493	Donna Carter	IN
494	Elizabeth Velazquez	IN
495	Jessica Milligan	IN
496	Joanne Lynch	IN
497	Joshua Ppool	IN
498	Linda Cline	IN
499	Melissa Bruce	IN
500	Michelle Toseski	IN
501	Patrice Bryant	IN
502	Robert Holtsclaw	IN
503	Ronald Stevenson	IN
504	Samantha Terry	IN
505	Sandratte Williams	IN
506	Sandy Loftin	IN
507	Stephen McIntyre	IN

508	Susan Monroe	IN
509	Thomas Palmer	IN
510	Tim Dean	IN
511	Verna Tunis	IN
512	Virginia Stacy	IN
513	Zander Lawton	IN
514	Andrew Peterson	KS
515	Dawn Pervin	KS
516	James Russell	KS
517	Larry Hall	KS
518	Melanie Manry	KS
519	William Yates	KS
520	Allan Goldie	KY
521	Brandon Kosbiel	KY
522	Chris Miller	KY
523	Clarissa Dalton	KY
524	Craig Wilson	KY
525	De'asia Beard	KY
526	Heather Hurt	KY
527	James Parks	KY
528	Jason Phillips	KY
529	Lois Williamson-Moon	KY
530	Rachelle Smith	KY
531	Rena Hall	KY
532	Rhonda Haddix	KY
533	Richard Zilch	KY
534	Rickey Johnson	KY
535	Robin Walls	KY
536	Sara Brooks	KY
537	Sarah Demott	KY
538	Sharon Page	KY
539	Starlene Allen	KY
540	Todd Coppage	KY
541	William Meeks	KY
542	Andra Chaney	LA
543	Charles L. Kershaw II	LA
544	Jeffrey Smith	LA
545	Latisha Johnson	LA
546	Lenicia Ridley	LA
547	Melody Santiago	LA
548	Stephanie Carlross	LA
549	Toby Buchan	LA
550	Travis Spikes	LA
551	Vanessa Castro	LA

552	Ashley Tracy	MA
553	Erica Aponte	MA
554	Gillian Gardner De Arede	MA
555	Jason Wong	MA
556	Jeanne Gallagher	MA
557	Louanne Sosnicki	MA
558	Michael Methe Parron	MA
559	Akeyiah Bullock	MD
560	Annika Taylor	MD
561	Elroy Randall	MD
562	Karren Mazyck	MD
563	Linda Beeman	MD
564	Twanda Joyner	MD
565	Britney Noble	ME
566	Mark Rondyke	ME
567	Melvin Russell	ME
568	Michelle Whitmore	ME
569	Angela Thurlow	MI
570	Angelique Guyaux	MI
571	Ashley Eisenhardt	MI
572	Bobby Hoye	MI
573	Catherine Krager	MI
574	Crystal Hubbard	MI
575	David Lindsay	MI
576	Dawn Tyra	MI
577	James Smith	MI
578	Jeanna Foster	MI
579	Joe Duzy	MI
580	Loalice Jackson	MI
581	Marcey Tejeda	MI
582	Marquita Schillicutt	MI
583	Phillip Timms	MI
584	Shannon Thompson	MI
585	Sharon Rhodes	MI
586	Shawn Ewing	MI
587	Shellie Battleshaw	MI
588	Sheryl Moore	MI
589	Tanisha Powell Ford	MI
590	Terri Proben	MI
591	Vanessa Buyea	MI
592	Angel Jacobson	MN
593	Deborah Hampton	MN
594	John Mosser	MN
595	Latanya Garner	MN

596	Luann Berg	MN
597	Stacia Miller	MN
598	Tajiddin Mason	MN
599	Takia McBride	MN
600	Trevor Parson	MN
601	Amanda Kremer	MO
602	Anthony Boysen	MO
603	Brenton Smith	MO
604	Casey Clark	MO
605	Cody Hurt	MO
606	Dana Dold-Brown	MO
607	Dennis Baker	MO
608	Jeannie Strickler	MO
609	Linda Brandt	MO
610	Lorie Despres	MO
611	Patricia Shelby	MO
612	Paula Massey	MO
613	Richard Green	MO
614	Sasha Walters	MO
615	Shatonya Thompson	MO
616	Shawn Gropper	MO
617	Sherry Thomas	MO
618	Sheryl Couch	MO
619	Tameka Mason	MO
620	Tami Moralez	MO
621	April Yarbrough	MS
622	Bettye Keys	MS
623	Carolyn Clark	MS
624	Corey Davis	MS
625	Felicia Spencer	MS
626	Glanicea Ickom	MS
627	Gwendolyn Hawthorne	MS
628	John Kuchar	MS
629	Judy Lawn	MS
630	Kevin Lovelace	MS
631	Lora Shields	MS
632	Mark Rollins	MS
633	Mary Meldren	MS
634	Mary Perry	MS
635	Melinda Sparks	MS
636	Mona Carter	MS
637	Ollie Bass	MS
638	Spencer Magee	MS
639	Lawrence Kimble	MT

640	Amber Webb	NC
641	Annie Nicholson	NC
642	Charles Connor	NC
643	Charles McClain	NC
644	Crystal Jackson	NC
645	Cynthia Owens	NC
646	Cynthia Terry	NC
647	Gabrielle Harden	NC
648	Jack Baker	NC
649	Jennifer Spencer	NC
650	Jessica Papageorge	NC
651	Jimmie Taylor	NC
652	Joaquin Menendez	NC
653	Joe Hardy	NC
654	Jonathan Parker	NC
655	Jose Garcia	NC
656	Kimberly Foster	NC
657	Laila Dames	NC
658	Lashekia Grimes	NC
659	Lisa Glenn Cash	NC
660	Luis Delgado	NC
661	Olivia Petty	NC
662	Rodney Duncan	NC
663	Shawn Herring	NC
664	Susan Owen Brooks	NC
665	Terry Peralta	NC
666	Tina Huntebrinker	NC
667	Virginia Hall	NC
668	Yvette Williams	NC
669	Ann Partridge	ND
670	Chico Barnard	NE
671	Josh Hume	NE
672	Robertah Ahrens	NE
673	Linds Perkins	NH
674	Lisa Kleiner	NH
675	Camila Galarza	NJ
676	Cheyenne Fletcher	NJ
677	Cosimo Granata	NJ
678	Daniel Varady	NJ
679	Deborah Vilawys	NJ
680	Donna Buono	NJ
681	Erin Fox	NJ
682	Gail Dopp	NJ
683	Lauren Simmons	NJ

684	Rita Ferrari	NJ
685	Sami Taweel	NJ
686	Barbara Gallegos	NM
687	Cruz Soria	NM
688	David Gill	NM
689	Debbie Smith	NM
690	Michael Sheek	NM
691	Paul Albert	NM
692	Samantha Santana	NM
693	Teddy Everidge	NM
694	Carla Pfeifer	NV
695	Claude Fratto	NV
696	Faye Towner	NV
697	Joann Jones	NV
698	Kenneth Nicholas	NV
699	Maritsa Amador	NV
700	Micheline Gould	NV
701	Suzanne Hackett	NV
702	Charles Horsky	NY
703	Charlotte Lau	NY
704	Chi Vo	NY
705	Christina Lowery	NY
706	Cindy Rego	NY
707	Colleen McKibbin	NY
708	Darjay Lowndes	NY
709	David Calhoun	NY
710	Edward Taylor	NY
711	Fotini Tsirkas	NY
712	Francisco Diaz	NY
713	Frank Garcia	NY
714	Jeannette Gage	NY
715	Jeffrey Day	NY
716	Jia Hao Weng	NY
717	Jon Kessel	NY
718	Jonathan Daly	NY
719	Joseph Post	NY
720	Joseph Sfakiotakis	NY
721	Judy Knarich	NY
722	Julie Newcombe	NY
723	Karen Getchell	NY
724	Kelvin Rodriguez	NY
725	Louisa Olcott	NY
726	Luigina Rosario	NY
727	Mike Valentino jr	NY

728	Moussa Kouyate	NY
729	Patti Donadio	NY
730	Richard Byas	NY
731	Richard Ficeto	NY
732	Rob McCalla	NY
733	Robert Forman	NY
734	Tamara Mercado	NY
735	Tanya Lando	NY
736	Thomas Morris	NY
737	Thomas Stewart	NY
738	Veronica Rosario	NY
739	Vida Thomas	NY
740	Vincent Savarese	NY
741	Yesenia Gonzalez	NY
742	Alberta Horne	OH
743	Amanda Schoolcraft	OH
744	Ashley Holz	OH
745	Ashley Logan	OH
746	Benjamin Smith	OH
747	Carmen Foster	OH
748	Cathy Walchalk	OH
749	Chris Bodinet	OH
750	Dayna Nelson	OH
751	Donna Kurtz	OH
752	Donricko Greene	OH
753	Jennile Ernest	OH
754	Joanne Henderson	OH
755	Jorge Arriola	OH
756	Kelly Prichard	OH
757	Kim Gutierrez	OH
758	Kimberly Ward	OH
759	Laura Knapik	OH
760	Mark Brown	OH
761	Nancy Wiggenghorn	OH
762	Olesya Timam	OH
763	Pamela Podolsky	OH
764	Reta Wantland	OH
765	Ricky Turney Jr.	OH
766	Robyn Stolicny	OH
767	Sally Dalton	OH
768	Sheena Patel	OH
769	Timmie Wells	OH
770	Zan Smith	OH
771	Diana Bowen	OK

772	Holli Chilton	OK
773	Jesus Torralba	OK
774	Karen Thomas	OK
775	Laura Jablonski	OK
776	Loretta Chandler	OK
777	Margaret Stclair	OK
778	Megan Kirk	OK
779	Melenee Blalock	OK
780	Shawn Ray	OK
781	Thomas Schafer	OK
782	Alicia Coakley	OR
783	Barbara Bautista lazo	OR
784	Deborah Shelton	OR
785	Elizabeth Darke	OR
786	Felicia Palmer	OR
787	Jared Alexander	OR
788	Joe Balestreri	OR
789	John Boytz	OR
790	Kayleen Quiros	OR
791	Leah Geslois	OR
792	Maryanne Skinner	OR
793	Mcrae Naayers	OR
794	Narjes Deris	OR
795	Sherry Deike	OR
796	Stewart Buchanan	OR
797	Tanya Baley	OR
798	Wendy Swales	OR
799	Angela Snyder	PA
800	Anthony Gomez	PA
801	Carol Ciocco	PA
802	Chad Smith	PA
803	Crystal Dooley	PA
804	David O'Connor	PA
805	David Roesler	PA
806	Deneen Stevenson	PA
807	Denise Lapinski	PA
808	Eric Loring	PA
809	Erika Burris	PA
810	Gerard Doyle	PA
811	Gianni Mitchell	PA
812	Heather Uhl	PA
813	Helen Moore	PA
814	Jim Bair	PA
815	Jim Mallin	PA

816	Jody Blough	PA
817	Joe Michaels	PA
818	Jonathan Beaver	PA
819	Juwanna Scott	PA
820	Kimberly Thurman	PA
821	Lee Williams	PA
822	Lisa Merker	PA
823	Lisa Watt	PA
824	Melissa Eshleman	PA
825	Nicholas Smeal	PA
826	Pamela Davies	PA
827	Renee Poutrain	PA
828	Robert McClain	PA
829	Rosa Jackson	PA
830	Samantha Stolarik	PA
831	Sherrie Stough	PA
832	Steven Thornsberry	PA
833	Susan Shiner	PA
834	Tanya Palmer	PA
835	Victoria Phillips	PA
836	Walter Embser	PA
837	Xeniya Vorobyeva	PA
838	Colleen Appolonia	RI
839	Howard Pastran	RI
840	Kimberly Black	RI
841	Lori Teper	RI
842	Ryan Dimon	RI
843	Barbara Cooper	SC
844	Deborah Watts	SC
845	Deborah Woodberry	SC
846	Ginger Talford	SC
847	Michael Short	SC
848	Pamela Smith	SC
849	Stacey Griffin	SC
850	Tammy Dellinger	SC
851	Jeremy West	SD
852	Michelle Heil	SD
853	Stephanie Drapeau	SD
854	Benny Joles	TN
855	Christopher Anderson	TN
856	Christy Russell	TN
857	Darron Orange	TN
858	Denise Tatom	TN
859	Donald Hillaker	TN

860	Gertrude Robinson	TN
861	Heather Bartol	TN
862	Jason Prietz	TN
863	Jeffery Cates	TN
864	Joyce Williams	TN
865	Patricia McKnight	TN
866	Philip De Luca	TN
867	Samatha Ogle	TN
868	Sean Hoskin	TN
869	Stephanie Taylor	TN
870	Tara Quillen	TN
871	Timothy Johnson	TN
872	Wayne Brister	TN
873	Wayne Dilks	TN
874	Zachary Cheek	TN
875	Aliree Bush	TX
876	Amanda Caster	TX
877	Amanda Luman	TX
878	Ariana Stewart	TX
879	Asad Kapadia	TX
880	Aundrill Henderson	TX
881	Beverly Garner	TX
882	Brittany Stoker	TX
883	Brittney Cantu	TX
884	Carlton Williams	TX
885	Catheryn Rodriguez	TX
886	Christine Whitney	TX
887	Christopher Simmons	TX
888	Consetta Marks	TX
889	Danielle Williams	TX
890	Dianna Tinsdale	TX
891	Gabriel Vater	TX
892	Garrett Dailey	TX
893	Holley Johnson	TX
894	Jason White	TX
895	Joe Vega	TX
896	Katrina Gaer	TX
897	Lisa Rose	TX
898	Lynette Clay	TX
899	Malissa Scott	TX
900	Marcela Alanis	TX
901	Maricela Camacho	TX
902	Mishal Fatima	TX
903	Nadeeka Kariyawasam	TX

904	Norma Gallegos	TX
905	Pam Jones	TX
906	Patty Casey	TX
907	Ricardo Jaquez	TX
908	Rick Dewoody	TX
909	Robert Levi	TX
910	Robert Yancy	TX
911	Rose Irigoyen	TX
912	Ruth Leal	TX
913	Sally Morin	TX
914	Sandra Terrazas	TX
915	Tammie Rutledge	TX
916	Tammy Stallcup	TX
917	Thomas Lacy	TX
918	Virginia Vann	TX
919	Willie Garner	TX
920	Ethan Baker	UT
921	Jennie Probert	UT
922	Kurtis Olson	UT
923	Robert Lee	UT
924	Stephen Hender	UT
925	Abi Conner	VA
926	Anna Harshman	VA
927	Bertha Shands	VA
928	Claudia Hammeren	VA
929	Debbie Crider	VA
930	Jamie Adler	VA
931	Kimberly Smith	VA
932	Paula Cuellar	VA
933	Sean Evans	VA
934	Wayne Parr	VA
935	Andrea Clark	WA
936	April Becker	WA
937	Cortney Rogers	WA
938	Elizabeth Boyd	WA
939	Jeff Staha	WA
940	Jennifer Davis	WA
941	Jodi Meadows	WA
942	John Laughrey	WA
943	Lydia De Jorge	WA
944	Mariah McGill	WA
945	Mark Johnston	WA
946	Penny Montgomery	WA
947	Robert Hutton	WA

948	Rusty Groce	WA
949	Seana Boyd	WA
950	Tracy Moreau	WA
951	Annie White	WI
952	Barbara Johnson	WI
953	Carrie Fox	WI
954	Cornish Whitfield	WI
955	David Blixt	WI
956	Denina Cottrell	WI
957	Juanita Ortega	WI
958	Mattieanna Sechser	WI
959	Mia Jefferson	WI
960	Nancy Kovacs	WI
961	Raven Hampton	WI
962	Shauntaya Wiley	WI
963	Theresa Zimmerman	WI
964	Troy Winkelman	WI
965	William Johnston	WI
966	Amber Ratliff	WV
967	Brian Hayes	WV
968	Brittany Morlan	WV
969	Clayton Cary	WV
970	Darla Terry Mullins	WV
971	Ena Myers	WV
972	Sarah Reed	WV
973	Shawnell Berry	WV
974	Shelia Jones	WV